

The Honorable John C. Coughenour

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

DANIEL MITCHELL, et al.,

Plaintiffs,

v.

CHUCK ATKINS, et al.,

Defendants,

SAFE SCHOOLS SAFE COMMUNITIES,

Intervenor-Defendant.

NO. 3:19-cv-05106-JCC

JOINT STATUS REPORT

On December 13, 2022, the parties met and conferred in compliance with this Court's Minute Order dated December 7, 2022. Dkt. #134. The parties were able to reach agreement on a schedule<sup>1</sup> for additional evidentiary development and briefing on Plaintiffs' Second Amendment claim only. The parties propose the following next steps and deadlines:

Disclosure of expert testimony under FRCP 26(a)(2)	September 1, 2023
All dispositive motions must be filed by	October 2, 2023

The parties do not intend to change any information in the Joint Status Report filed with the

<sup>1</sup> The parties agree on a schedule, but hold differing positions on whether additional expert testimony is required (or helpful). Plaintiffs believe that no additional expert testimony or evidence is required (or helpful) in determining whether the restriction at issue is constitutional. Defendants disagree. Defendants moved the Ninth Circuit to remand this case for the purpose of developing new evidence under *New York State Rifle & Pistol Ass'n. v. Bruen*, 142 S. Ct. 2111 (2022). The Ninth Circuit granted the motion—which Plaintiffs did not oppose.

1 Court on June 20, 2019. Dkt. #4 9. In the event that trial in this matter is required, the parties request  
2 a trial date after March 1, 2024, and provide the following unavailable dates: September 1–30, 2024.

3 DATED this 19th day of December 2022.

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6 /s Jeffrey T. Even

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**DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will serve a copy of this document upon all counsel of record.

DATED this 19th day of December 2022, at Olympia, Washington.

/s Jeffrey T. Even

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Assistant Attorney General